

House File 2465 - Reprinted

HOUSE FILE 2465

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HF 2371)

(SUCCESSOR TO HSB 595)

(As Amended and Passed by the House April 16, 2014)

A BILL FOR

1 An Act relating to the dissemination of information, by
2 establishing a mass notification and emergency messaging
3 system fund, and providing that specified information
4 collected by state departments and agencies for public
5 dissemination of emergency or routine information are
6 considered confidential public records.
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. LEGISLATIVE INTENT. It is the intent of the
2 general assembly, in recognition of the establishment of the
3 mass notification and emergency messaging system fund in Code
4 section 29C.17A, and in further recognition of the vital
5 importance of creating and adequately funding a system for
6 providing mass notification and emergency messaging services to
7 the citizens of the state of Iowa, that the mass notification
8 and emergency messaging system fund receive an annual
9 appropriation to ensure that the system functions throughout
10 the state on an ongoing basis.

11 Sec. 2. Section 22.7, subsection 67, Code 2014, is amended
12 to read as follows:

13 67. Electronic mail addresses of individuals or phone
14 numbers of individuals, and personally identifiable information
15 about those individuals, collected by state departments and
16 agencies for the sole purpose of disseminating emergency
17 or routine information and notices through electronic
18 communications that are not prepared for a specific recipient.

19 Sec. 3. Section 29C.2, Code 2014, is amended by adding the
20 following new subsection:

21 NEW SUBSECTION. 6A. "*Mass notification and emergency*
22 *messaging system*" means a system which disseminates emergency
23 and public safety related information to the public by
24 various means including but not limited to telephone,
25 wireless communications service, dual party relay service or
26 telecommunications device, text messaging, electronic mail,
27 and facsimile, and which integrates with federal emergency
28 messaging systems.

29 Sec. 4. NEW SECTION. 29C.17A **Mass notification and**
30 **emergency messaging system fund.**

31 1. A mass notification and emergency messaging system fund
32 is created in the state treasury under the control of the
33 department. The fund shall consist of moneys appropriated
34 by the general assembly and any other moneys available to
35 and obtained or accepted by the department for placement

1 in the fund. Notwithstanding section 12C.7, interest or
2 earnings on moneys in the fund shall be credited to the fund.
3 Notwithstanding section 8.33, moneys credited to the fund that
4 remain unexpended or unobligated at the end of a fiscal year
5 shall not revert to any other fund.

6 2. Amounts contained in the fund shall be used exclusively
7 to provide for the purchase and ongoing operation of a system
8 capable of providing mass notification and emergency messaging
9 to the public. The system shall be purchased from a vendor
10 selected by the department pursuant to a competitive bidding
11 process, and shall, once purchased, be under the control of the
12 department.

13 3. Information disseminated to the public through the mass
14 notification and emergency messaging system shall be limited
15 to imminent emergency and public safety-related issues. The
16 department may provide access to the system for use at the
17 county and local level. Access by a county or local government
18 shall be at the department's sole discretion, and if approved
19 by the department, shall be under the control of the local
20 commission. The commission shall establish an operational plan
21 and procedure which meets standards adopted by the department
22 by rule, and shall submit the operational plan and procedure
23 for approval by the department prior to access being granted.
24 Additional access criteria and procedures for administering the
25 fund shall be established by the department by rule.

26 4. All personal information collected for use in the mass
27 notification and emergency messaging system, including but
28 not limited to the names and contact information of emergency
29 messaging recipients, shall be considered confidential records
30 under section 22.7. The director may, however, provide all
31 or part of such confidential information to state or local
32 governmental agencies possessing emergency planning or response
33 functions if the director is satisfied that the need to know
34 the information and its intended use are reasonable. An agency
35 receiving confidential information pursuant to this subsection

1 shall not disseminate the information in any form without
2 prior approval by the director. The release of confidential
3 information by the department, a county or local government, or
4 a state or local governmental agency other than as authorized
5 pursuant to this section, and the sale of such confidential
6 information, is strictly prohibited.